

Response under 37 C.F.R. 1.111
Serial No. 09/727,659
Page 2 of 6

Remarks

In view of the following discussion, the Applicant submits that none of the claims now pending in the application are anticipated under the provisions of 35 U.S.C. §102. Thus, the Applicant believes that all claims are now in allowable form.

It is to be understood that the Applicant, does not acquiesce to the Examiner's characterizations of the art of record or to Applicant's subject matter recited in the pending claims. Further, Applicant is not acquiescing to the Examiner's statements as to the applicability of the prior art of record to the pending claims by filing this Response.

Rejections

Rejections of claims under 35 U.S.C. § 102

The Examiner has rejected claims 11 and 12 under 35 U.S.C. §102(b) as being anticipated by U.S. Patent Number 5,956,736 issued September 21, 1999 to Hanson et al. (hereinafter "Hanson"). Specifically, the Examiner offers that Hanson teaches an apparatus for providing one or more user interfaces for a computer application including, among other things, a user interface generator for accessing first user interaction specification information and generating a corresponding user interface for the computer application (Col. 6, lines 3-14 and Col. 7, line 53 – Col. 8, line 67) that generates code for presenting a second user technique (Col.6, line 56 - Col. 7, line 61 and Col 7, line 53 – Col. 8, line 67) and a user interface builder for allowing a user interface designer to create a second user interaction specification information for replacing the first user interaction specification information (Col. 8, lines 44 – Col. 9, line 31; Col. 11, lines 23-35, 60-63 and Col. 12, lines 1-18 and 49-67).

Response under 37 C.F.R. 1.111
Serial No. 09/727,659
Page 3 of 6

In response, the rejection is respectfully traversed. Applicant offers that while Hanson is in the technical field of the subject invention, there are deficiencies in the exact teachings of the cited reference. It has been well established that anticipation requires the presence in a single prior art reference disclosure of each and every element of the claimed invention, arranged as in the claim. Hanson fails to disclose each and every element of the claimed invention, as arranged in the claim. Furthermore, the Examiner has expanded upon the claim language to force the teachings of the prior art to fit the claimed element, and thereby support the conclusion of anticipation. Such action is not permissible. The prior art must be such that a person of ordinary skill in the field of the invention would consider there to be no difference between the claimed invention and the reference disclosure. In other words, the prior art reference must put the claimed invention in the hand of one skilled in the art.

The reference in general discloses a object-oriented HTML based editor for creating Web documents. Objects are dragged and dropped into a view window to allow for manipulation of same and subsequently customization of Web documents (see Abstract). However, the reference does not include the level of detail and sophistication of the subject invention. Specifically, the Examiner first offers that Col. 6, lines 3-14 disclose a user interface generator in accordance with the subject invention. The cited passage actually presents only a generic explanation of a computer and its parts without any additional explanation of the actual intent, usage or tasks that the computer executes. The cited portion is far too vague and general to adequately read upon a specific user interface generator for accessing user information and generating a corresponding interface therefrom. That is, there must be more disclosure provided elsewhere in the reference to determine if such computer is in fact performing such tasks or has the claimed features for executing same. It is respectfully submitted that additional commentary below will further show the deficiencies of the cited art.

Response under 37 C.F.R. 1.111
Serial No. 09/727,659
Page 4 of 6

Next, the Examiner offers Col. 7, line 56 – Col. 8, line 67; however, this cited section reveals only the tools and nomenclature used to create web documents and most specifically a user interface for manipulating objects to create such documents. It is respectfully submitted that these teachings are (in one interpretation) a level of sophistication further removed from the subject invention. That is, the subject invention is claiming, among other things, a user interface generator for creating the user interface and not the interface itself as revealed in the cited section of the reference. Therefore, the Examiner has either misinterpreted the reference or over generalized that which is recited as the Applicant's invention.

Next, the Examiner offers Col. 6, line 56 – Col. 7, line 61 and Col. 7, line 53 – Col. 8, line 67 as support for changes from a first data descriptor for the first user to a second data descriptor for a second user and the attendant code generation by the user interface generator for the second user. Unfortunately and as identified earlier, these cited sections do not offer sufficient teachings of a user interface generator (for the first user); they further add nothing for changing the code used by the user interface generator to create a second interface in accordance with the subject invention. That is, and as specifically discussed earlier, all cited passages by the Examiner present solely a system for building Web documents using a single interface and provides nothing with respect to an interface generator and/or builder that creates additional interfaces for additional users of a computer application.

The Examiner continues by offering Col. 8, lines 44 – Col. 9, line 31; Col. 11, lines 23-35, 60-63 and Col. 12, lines 1-18 and 49-67 as support for the user interface builder. However, it is respectfully submitted that this interpretation is still incorrect as discussed earlier. That is, the entire reference is presenting a system for building web documents or pages and is not focused or otherwise presenting detailed teachings of a user interface generator that creates different interfaces based on first and second user information. For example, at Col. 12, lines 4-11, the reference discloses how a single user can select an object edit

Response under 37 C.F.R. 1.111
Serial No. 09/727,659
Page 5 of 6

from a Viewer window and modify the object in Object Editor window and perform other manipulations. However, there is no teaching disclosure or suggestion of a second user performing these operations or that a separate interface initially used by the first user is changed for the second user via a user interface builder in accordance with the subject invention.

In each of the specific arguments provided by the Applicant; it has been shown that the reference in general is not within the scope of the claimed invention. That is, if a word search was conducted using the search terms "user interface" or "generator" or "builder", this reference would be part of the results of such a search. But, the reference is one step removed from the claimed invention in that it speaks of the actions and components needed to build a webpage and not an apparatus for providing a user interface for a computer application (such as the actual web page builder of Hanson). Therefore, the reference does not anticipate the subject invention. As such, Applicant submits that claims 11 and 12 are not anticipated and fully satisfy the requirements under 35 U.S.C. §102 and are patentable thereunder. Therefore, Applicant respectfully requests that the rejection be withdrawn.

CONCLUSION

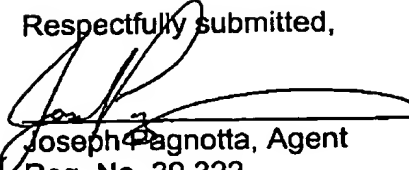
Thus, the Applicants submit that claims 11 and 12 are in condition for allowance. Accordingly, reconsideration of this application and its swift passage to issue are earnestly solicited.

If, however, the Examiner believes that there are any unresolved issues requiring adverse final action in any of the claims now pending in the application, it is requested that the Examiner telephone Mr. Eamon J. Wall at (732) 530-9404 so that appropriate arrangements can be made for resolving such issues as expeditiously as possible.

Response under 37 C.F.R. 1.111
Serial No. 09/727,659
Page 6 of 6

March 31, 2004

Respectfully submitted,

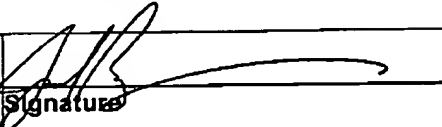


Joseph Pagnotta, Agent
Reg. No. 39,322
(732) 530-9404

Moser, Patterson & Sheridan, LLP
595 Shrewsbury Avenue
Suite 100
Shrewsbury, New Jersey 07702

CERTIFICATE OF TRANSMISSION UNDER 37 C.F.R. 1.8

I hereby certify that this correspondence is being transmitted by facsimile under 37 C.F.R. §1.8 on March 31, 2004 and is addressed to Mail Stop NON-FEE Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, Facsimile No. 703-872-9306.



Signature
Joseph Pagnotta
Printed Name of Person Signing
March 31, 2004
Date of signature